

400 KAR 2:060. Definitions.

RELATES TO: KRS 146.425, 146.460, 146.490

STATUTORY AUTHORITY: KRS 146.485

NECESSITY, FUNCTION, AND CONFORMITY: KRS 146.485 requires the Kentucky Nature Preserves Commission to develop administrative regulations for the selection, acquisition, management, protection and use of natural areas and nature preserves, and for the conduct of commission affairs. This administrative regulation provides for the defining of certain essential terms used in 400 KAR 2:060 through 400 KAR 2:100.

Section 1. (1) "Advisor" means any individual selected by the commission to serve in an advisory capacity to the commission pursuant to KRS 146.435;

(2) "Articles of dedication" means the writing by which any estate, interest, or right in a natural area and/or buffer area is formally dedicated as provided in KRS 146.410 to 146.530;

(3) "Act" means the enabling legislation of the Kentucky Nature Preserves Commission KRS 146.410 to 146.530;

(4) "Commission" means the Kentucky Nature Preserves Commission;

(5) "Cabinet" means the Environmental and Public Protection Cabinet;

(6) "Secretary" means the Secretary of the Environmental and Public Protection Cabinet;

(7) "Custodian" means any person, organization, agency, or institution selected by the commission to serve as the managing agent for a nature preserve;

(8) "Natural area" means any area of land or water, or of both land and water, in public or private ownership, which either retains or has reestablished to some degree, in the judgment of the commission, its natural character, though it need not be completely natural and undisturbed, or which has natural flora, fauna, biological, ecological, geological, scenic or archaeological features of scientific, aesthetic, cultural or educational interest;

(9) "Nature preserve" means a natural area, and land necessary for its protection, any estate, interest or right which has been formerly dedicated under the provisions of KRS 146.410 to 146.530 to be maintained as nearly as possible in its natural condition and to be used in a manner and under limitations consistent with its continued preservation, without impairment, disturbance, or artificial development, for the public purposes of present and future scientific research, education, aesthetic enjoyment, and habitat for plant and animal species and other natural objects;

(10) "Inventory of natural types, flora and fauna" is a list of flora and fauna occurring in Kentucky, and of natural types identified by the commission to be monitored for the purpose of complying with the provisions of the Act;

(11) "Register of natural areas" means the list of those natural areas worthy of preservation but not available for dedication. Terrestrial natural areas may only be registered with the consent of the landowner; stream segments may be registered upon such a determination by the commission. (13 Ky.R. 1318; eff. 2-10-87.)